

Joint Standing Committee on Transportation

LD 507

An Act to Create the Transit Bonus Payment Program

PUBLIC 681

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM	H-780

LD 507 proposed to reduce the burden on property taxes in communities with public transportation by requiring the State to fund a higher portion of the operating costs of the nonprofit transportation providers. The bill sets the State's minimum contribution for fiscal year 2001-02 at 20% of the property taxes paid to a nonprofit provider in the prior fiscal year. The State's contribution increases by 5% of that amount in each of the next 2 fiscal years until it reaches 30%, where it remains for subsequent fiscal years.

Committee Amendment "A" (H-780) proposed to replace the bill and establish a transit bonus payment program within the Department of Transportation. The program would allow municipalities that increase qualifying expenditures for transit to apply to the department for a transit bonus to the municipality's Urban-Rural Initiative Program payment. Funds must be used for eligible purposes under the Urban-Rural Initiative Program.

Enacted law summary

Public Law 2001, chapter 681 establishes a transit bonus payment program within the Department of Transportation. The program allows municipalities that increase qualifying expenditures for transit to apply to the department for a transit bonus to the municipality's Urban-Rural Initiative Program payment. Funds must be used for eligible purposes under the Urban-Rural Initiative Program.

LD 521

Resolve, to Direct the Department of Transportation to Submit
Proposed Legislation Permitting Limited Application of Canadian
Highway Weight Standards

RESOLVE 78

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON SHOREY	OTP-AM MAJ ONTP MIN	H-808

LD 521 proposed to adopt Canadian highway weight standards on a limited portion of Route 1 from Calais to the junction of Route 1 and Route 9 in Baileyville. The bill proposed to allow a maximum gross vehicle weight of 137,700 pounds for a combination vehicle consisting of a 3-axle truck tractor with a tri-axle semitrailer.

Committee Amendment "A" (H-808) is the majority report of the Joint Standing Committee on Transportation. It proposed to replace the bill with a resolve that directs the Department of Transportation to submit proposed legislation to the Joint Standing Committee on Transportation in the next regular legislative session after the department has determined the location of a 3rd bridge in Washington County connecting Maine with New Brunswick, Canada. This legislation must include provisions to allow Canadian weight standards on Route 1 from the bridge to the junction of Route 1 and Route 9 in Baileyville.

Enacted law summary

Joint Standing Committee on Transportation

Resolve 2001, chapter 78 directs the Department of Transportation to submit proposed legislation to the Joint Standing Committee on Transportation in the next regular legislative session after the department has determined the location of a 3rd bridge in Washington County connecting Maine with New Brunswick, Canada. This legislation must include provisions to allow Canadian weight standards on Route 1 from the bridge to the junction of Route 1 and Route 9 in Baileyville.

LD 1832

An Act to Strengthen the Habitual Offender Law

PUBLIC 514

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA GERZOFKY	OTP-AM	H-816 SAVAGE W S-409

LD 1832 proposed to increase the period of driver license revocation for habitual motor vehicle offenders from one year to 3 years and to provide that certain habitual offenders may petition for a work-restricted license following 2 years of license revocation.

Committee Amendment "A" (S-409) proposed to provide that certain habitual offenders may petition for a work-restricted license following 18 months of license revocation, instead of 2 years as proposed in the bill.

House Amendment "B" (H-816) proposed to exclude a conviction of operating after suspension when the suspension is based on nonpayment of child support in the number of convictions included in the definition of "habitual offender."

Enacted law summary

Public Law 2001, chapter 514 increases the period of driver license revocation for habitual motor vehicle offenders from one year to 3 years and provides that certain habitual offenders may petition for a work-restricted license following 18 months of license revocation. The law excludes a conviction of operating after suspension when the suspension is based on nonpayment of child support in the number of convictions included in the definition of "habitual offender."

LD 1836

An Act to Clarify Licensure for the Operation of Antique Trucks

PUBLIC 486

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-768

LD 1836 was a concept draft pursuant to Joint Rule 208. It proposed to allow a person without a driver's license to operate an antique truck as long as the truck is not being operated in commerce but for recreational, pleasure or show purposes.

Committee Amendment "A" (H-768) proposed to replace the original bill and allow a person with a Class C driver's license to operate an antique truck as long as the truck is not being operated in commerce but for recreational, pleasure or show purposes.

Joint Standing Committee on Transportation

Enacted law summary

Public Law 2001, chapter 486 allows a person with a Class C driver's license to operate an antique truck as long as the truck is not being operated in commerce but for recreational, pleasure or show purposes.

LD 1841 **An Act to Allow Sharing of Information to Facilitate Interstate Cooperation Between Toll Agencies** **PUBLIC 473**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP MAJ	
DAGGETT	ONTP MIN	

LD 1841 proposed to allow the Maine Turnpike Authority to share patron information with other toll agencies in order to facilitate cooperation and interoperability between interstate toll agencies in areas such as electronic toll collection.

Enacted law summary

Public Law 2001, chapter 473 allows the Maine Turnpike Authority to share patron information with other toll agencies in order to facilitate cooperation between interstate toll agencies and technical compatibility in areas such as electronic toll collection.

LD 1844 **An Act to Amend the Motor Vehicle Laws** **PUBLIC 671**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM MAJ	H-941
SAVAGE C	OTP-AM MIN	S-524 SAVAGE C

LD 1844 proposed to do the following.

1. It would allow the Secretary of State to suspend a driver's license or vehicle registration for delinquent accounts payable to the Department of the Secretary of State, Bureau of Motor Vehicles.
2. It would allow the Secretary of State to determine the appropriate compensation for 3rd-party agents who issue driver's license renewals.
3. It would place special mobile equipment and tractors into the staggered registration system. At the time of this proposal, for the initial registration, registrants often paid the full annual fee for a partial year.
4. It would provide the Secretary of State with the flexibility of issuing a special credential in lieu of a special plate. The credential would be used primarily to permit motor vehicles on short-term lease to be used for hire without displaying an "H" plate so long as the vehicle is covered by insurance and proper fees have been paid.
5. It would adjust the farm registration weight brackets to conform to the commercial registration weight brackets. Where the brackets have been adjusted, fees are proportional. This provision was intended to be revenue neutral.

Joint Standing Committee on Transportation

6. It would exempt the public or nonprofit organizations that make vehicles available to low-income persons from applying for a title in the organization's name.
7. It would provide the Secretary of State additional flexibility to process title applications in a timely manner when a lienholder has sold its interest in a lien.
8. It would clarify language regarding the filing fee when a licensed dealer is applying for an additional type of dealer license, such as when a new car dealer seeks a motorcycle dealer license.
9. It would allow any public or nonprofit organization that makes vehicles available to low-income persons to obtain a transporter plate in order to move a donated vehicle from point to point.
10. It would clarify that if a dealer is renting or leasing a vehicle or combination of vehicles to a customer, a dealer plate cannot be used on that vehicle and it would clarify the 7-day use law.
11. It would allow a person issued a special restricted license based on work or education need to operate beyond the restriction when accompanied by a licensed operator who has held a valid license for the past 2 consecutive years, is at least 20 years of age, is occupying a seat beside the driver and is licensed to operate the class of vehicle operated by the holder of the special restricted license.
12. It would allow temporary plates to be issued to a trailer or mobile home dealer to affix to a unit a customer has purchased.
13. It would provide for increased fees to defray the additional highway costs caused by over-limit loads.
14. It would clarify that trucks registered for more than 26,000 pounds and Class A special mobile equipment are eligible for excise tax reimbursement. It also would repeal obsolete language relating to the transition to the International Registration Plan.
15. It would allow the State Tax Assessor to appoint the Secretary of State as an agent to collect excise tax for the unorganized territories.

Committee Amendment "A" (H-941) was the majority report of the committee and proposed to add the following provisions to the bill.

1. It would clarify that a school board may obtain a short-term loan or a lease-purchase to acquire school buses if funds that can be used for the initial lease-purchase payment have been appropriated by the unit's legislative body.
2. It would clarify that a person operating an unregistered vehicle may be charged with a traffic infraction or crime. It would change the limit that determines whether or not the penalty is considered a traffic infraction or a crime from 120 to 150 days.
3. It would make the penalties for operating a vehicle with an expired 14-day temporary registration plate consistent with the penalties for operating a vehicle with an expired permanent registration plate.

Joint Standing Committee on Transportation

4. It would allow the Secretary of State to issue a set of special veterans registration plates in the name of a company under certain conditions.
5. It would allow the surviving spouse of the recipient of special veterans registration plates to use the plates, as long as the surviving spouse remains unmarried.
6. It would clarify that the Secretary of State may issue titles to semitrailers regardless of the age of the semitrailer.
7. It would clarify that the manufacturer's suggested retail price must be printed on titles for used vehicles if the manufacturer's suggested retail price appeared on the previous Maine title.
8. It would clarify that the Secretary of State may reissue a title if the lienholder fails to respond to a request to return the title or lien document.
9. It would establish a process that allows a person to voluntarily request the cancellation of a driver's license when the person is no longer able to operate a motor vehicle safely. The Secretary of State would be authorized to cancel, and not necessarily suspend, the license of a person seeking the cancellation.
10. It would remove the requirement that a person's social security number be displayed on a nondriver identification card. This would not affect state compliance with the minimum requirements of applicable federal laws.
11. It would clarify that the accompanying operator for a permit holder must have held a valid license for the past 2 consecutive years. It also would provide that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, act as the accompanying operator.
12. It would authorize the Secretary of State to approve hands-on motorcycle rider courses for the issuance of endorsements to operate motorcycles.
13. It would clarify that the conditional driver's license provisions apply to residents and nonresidents convicted of operating under the influence in Maine.
14. It would clarify that the excise tax on trucks and truck tractors is based on the purchase price of the vehicle.

Committee Amendment "B" (H-942) was the minority report of the committee. It proposed the same provisions as the majority report except that it proposed to strike the provision that provided for increased fees to defray the additional highway costs caused by over-limit loads. This amendment was not adopted.

House Amendment "A" (H-1009) proposed to strike the provision to provide for increased fees to defray the additional highway costs caused by over-limit loads. This amendment was not adopted.

Senate Amendment "A" to Committee Amendment "A" (S-524) proposed to remove a provision relating to when a school board may obtain a short-term loan or a lease-purchase to acquire school buses in order to prevent a conflict with L.D. 2083, "An Act to Correct Errors and Inconsistencies in the Laws of Maine."

Joint Standing Committee on Transportation

Enacted law summary

Public Law 2002, chapter 671 does the following.

1. It allows the Secretary of State to suspend a driver's license or vehicle registration for delinquent accounts payable to the Department of the Secretary of State, Bureau of Motor Vehicles.
2. It allows the Secretary of State to determine the appropriate compensation for 3rd-party agents who issue driver's license renewals.
3. It places special mobile equipment and tractors into the staggered registration system. Under the prior law, for the initial registration, registrants often paid the full annual fee for a partial year.
4. It provides the Secretary of State with the flexibility of issuing a special credential in lieu of a special plate. The credential will be used primarily to permit motor vehicles on short-term lease to be used for hire without displaying an "H" plate so long as the vehicle is covered by insurance and proper fees have been paid.
5. It adjusts the farm registration weight brackets to conform to the commercial registration weight brackets. Where the brackets have been adjusted, fees are proportional. This provision is intended to be revenue neutral.
6. It exempts the public or nonprofit organizations that make vehicles available to low-income persons from applying for a title in the organization's name.
7. It provides the Secretary of State additional flexibility to process title applications in a timely manner when a lienholder has sold its interest in a lien.
8. It clarifies language regarding the filing fee when a licensed dealer is applying for an additional type of dealer license, such as when a new car dealer seeks a motorcycle dealer license.
9. It allows any public or nonprofit organization that makes vehicles available to low-income persons to obtain a transporter plate in order to move a donated vehicle from point to point.
10. It clarifies that if a dealer is renting or leasing a vehicle or combination of vehicles to a customer a dealer plate cannot be used on that vehicle and it clarifies the 7-day use law.
11. It allows a person issued a special restricted license based on work or education need to operate beyond the restriction when accompanied by a licensed operator who has held a valid license for the past 2 consecutive years, is at least 20 years of age, is occupying a seat beside the driver and is licensed to operate the class of vehicle operated by the holder of the special restricted license.
12. It allows temporary plates to be issued to a trailer or mobile home dealer to affix to a unit a customer has purchased.
13. It provides for increased fees to defray the additional highway costs caused by over-limit loads.

Joint Standing Committee on Transportation

14. It clarifies that trucks registered for more than 26,000 pounds and Class A special mobile equipment are eligible for excise tax reimbursement. It also repeals obsolete language relating to the transition to the International Registration Plan.
15. It allows the State Tax Assessor to appoint the Secretary of State as an agent to collect excise tax for the unorganized territories.
16. It clarifies that a person operating an unregistered vehicle may be charged with a traffic infraction or crime. It also changes the limit that determines whether or not the penalty is considered a traffic infraction or a crime from 120 to 150 days.
17. It makes the penalties for operating a vehicle with an expired 14-day temporary registration plate consistent with the penalties for operating a vehicle with an expired permanent registration plate.
18. It allows the Secretary of State to issue a set of special veterans registration plates in the name of a company under certain conditions.
19. It allows the surviving spouse of the recipient of special veterans registration plates to use the plates, as long as the surviving spouse remains unmarried.
20. It clarifies that the Secretary of State may issue titles to semitrailers regardless of the age of the semitrailer.
21. It clarifies that the manufacturer's suggested retail price must be printed on titles for used vehicles if the manufacturer's suggested retail price appeared on the previous Maine title.
22. It clarifies that the Secretary of State may reissue a title if the lienholder fails to respond to a request to return the title or lien document.
23. It establishes a process that allows a person to voluntarily request the cancellation of a driver's license when the person is no longer able to operate a motor vehicle safely. The Secretary of State is authorized to cancel, and not necessarily suspend, the license of a person seeking the cancellation.
24. It removes the requirement that a person's social security number be displayed on a nondriver identification card. This does not affect state compliance with the minimum requirements of applicable federal laws.
25. It clarifies that the accompanying operator for a permit holder must have held a valid license for the past 2 consecutive years. It also provides that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, may act as the accompanying operator.
26. It authorizes the Secretary of State to approve hands-on motorcycle rider courses for the issuance of endorsements to operate motorcycles.
27. It clarifies that the conditional driver's license provisions apply to residents and nonresidents convicted of operating under the influence in Maine.
28. It clarifies that the excise tax on trucks and truck tractors is based on the purchase price of the vehicle.

Joint Standing Committee on Transportation

LD 1851 **Resolve, to Rename the Bridge Between Rumford and Mexico** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON	ONTP	

LD 1851 proposed to change the name of the Veterans Memorial Bridge between Rumford and Mexico to the Ridlonville Veterans Memorial Bridge.

LD 1852 **An Act to Require Tractor-trailer Drivers to Clean Off the Roofs of Their Vehicles** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON	ONTP	

LD 1852 proposed to require that tractor-trailer drivers keep their vehicles clear of ice and compacted snow. Failure to do so would be a civil violation, punishable by forfeiture of at least \$200 and not to exceed \$500.

LD 1859 **An Act to Establish the Avon-Phillips Airport Authority** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE	ONTP	

LD 1859 proposed to establish the Avon-Phillips Airport Authority, governed by a board of 7 trustees, of which 2 trustees would be residents of the Town of Avon and 2 trustees would be residents of the Town of Phillips. The bill proposed to allow the authority to adopt bylaws for the governance of its affairs, acquire real and personal property, lease, rent or otherwise dispose of real or personal property and exercise the power of eminent domain.

LD 1863 **An Act to Clarify the Overweight Fine Violation for Trucks Carrying Certain Designated Commodities and Registered for 100,000 Pounds** **PUBLIC 513
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-806

LD 1863 proposed to clarify that a 6-axle combination vehicle carrying wood products and other designated commodities that is registered for 100,000 pounds and meets the appropriate axle weight and spacing requirements must be fined for overloads in the same manner as a similarly registered 6-axle vehicle carrying general commodities.

Committee Amendment "A" (H-806) proposed to replace the bill and clarify the appropriate fine bases and fine schedules that apply for vehicle classes carrying special commodities.

Joint Standing Committee on Transportation

Enacted law summary

Public Law 2001, chapter 513 clarifies the appropriate fine bases and fine schedules that apply for vehicle classes carrying special commodities.

Public Law 2001, chapter 513 was enacted as an emergency measure effective March 7, 2002.

LD 1867 An Act to Ensure the Safety of Maine Children While Riding in a PUBLIC 585 **Vehicle**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ	H-896
BENNETT	OTP-AM MIN	

LD 1867 proposed to require a child who weighs less than 40 pounds to be secured in a child safety seat. The bill also requires a child who weighs at least 40 pounds but less than 80 pounds and who is less than 8 years of age to be secured in a child booster seat when riding in a motor vehicle. A child under 12 years of age or who weighs less than 100 pounds is required to be secured in the back seat of a vehicle, if it is possible to do so, if that vehicle is equipped with a front-seat, passenger-side air bag.

Committee Amendment "A" (H-896) was the majority report of the Joint Standing Committee on Transportation. This amendment proposed to replace the bill and to require a child who weighs less than 40 pounds to be secured in a child safety seat. The amendment also proposed to require a child who weighs at least 40 pounds but less than 80 pounds and who is less than 8 years of age to be secured in a federally approved child restraint system when riding in a motor vehicle. It also proposed to require that a child under 12 years of age or who weighs less than 100 pounds be secured in the back seat of a vehicle, if possible, regardless of whether or not the vehicle is equipped with a front seat, passenger-side air bag.

Enacted law summary

Public Law 2001, chapter 585 requires a child who weighs less than 40 pounds to be secured in a child safety seat. It requires a child who weighs at least 40 pounds but less than 80 pounds and who is less than 8 years of age to be secured in a federally approved child restraint system when riding in a motor vehicle. It also requires that a child under 12 years of age who weighs less than 100 pounds be secured in the back seat of a vehicle, if possible, regardless of whether or not the vehicle is equipped with a front seat, passenger-side air bag.

LD 1881 An Act to Reduce Administration in the Right-of-way Process of the PUBLIC 485 **Department of Transportation**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	OTP	
FISHER		

Joint Standing Committee on Transportation

LD 1881 proposed to increase the dollar amount that the Department of Transportation can pay landowners for property without a formal appraisal from \$5,000 to \$15,000. A market analysis would be performed in place of the formal appraisal. In cases in which the landowner does not consent to the amount, a formal appraisal would be performed.

Enacted law summary

Public Law 2001, chapter 485 increases the dollar amount that the Department of Transportation can pay landowners for property without a formal appraisal from \$5,000 to \$15,000. A market analysis will be performed in place of the formal appraisal. In cases in which the landowner does not consent to the amount, a formal appraisal will be performed.

LD 1896 **An Act to Simplify the Process by Which a Financial Institution Transfers Motor Vehicle Title to a Lessee** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD	ONTP	

LD 1896 proposed to expand the ability of a financial institution to sell a motor vehicle that it leased to the lessee of the vehicle. The bill also proposed to permit financial institutions to use agents rather than employees to accomplish such sales.

LD 1907 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow for Loans to be Repaid With Federal Transportation Funds** **CON RES 1**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C FISHER	OTP-AM	H-842 FISHER S-419

LD 1907 proposed to amend the Constitution of Maine to allow the State to issue temporary debt to be repaid with federal transportation funds to facilitate the development of highways, bridges and other transportation projects.

Committee Amendment "A" (S-419) proposed to limit the amount of short-term debt that can be issued under the proposed amendment to the Constitution of Maine to 50% of federal transportation funds allocated in the prior fiscal year.

House Amendment "A" to Committee Amendment "A" (H-842) proposed to clarify that the transportation funds are funds that were appropriated by the Federal Government in the prior federal fiscal year.

Enacted law summary

Constitutional Resolution 2001, chapter 1 proposes to amend the Constitution of Maine to allow the State to issue temporary debt to be repaid with federal transportation funds to facilitate the development of highways, bridges and other transportation projects. It limits the amount of short-term debt that can be issued under the proposed

Joint Standing Committee on Transportation

amendment to the Constitution of Maine to 50% of transportation funds that were appropriated by the Federal Government in the prior federal fiscal year.

LD 1927 **Resolve, to Rename the Highland Avenue Bridge the Major General Henry Merriam Bridge** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	ONTP	

LD 1927 proposed to rename the Highland Avenue Bridge in Houlton the Major General Henry Merriam Bridge in honor of a Houlton native who won the Medal of Honor in the Civil War.

LD 1978 **An Act to Allow Maine to Participate in the Federal Pilot Program for Drivers Delivering Home Heating Oil** **PUBLIC 507**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM	H-807

LD 1978 proposed to instruct the Commissioner of Public Safety to allow Maine to participate in the Federal Motor Carrier Safety Administration, or "FMCSA" pilot program that allows for a restart of drivers' hours in order to allow for flexibility in the hours-of-service regulations. This pilot program, which lasts for 3 years, is managed and monitored by the FMCSA and will provide data to the FMCSA for the purpose of evaluating current hours-of-service regulations.

Committee Amendment "A" (H-807) proposed to clarify that rules adopted pursuant to the bill are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.

Enacted law summary

Public Law 2001, chapter 507 instructs the Commissioner of Public Safety to allow Maine to participate in the Federal Motor Carrier Safety Administration, or "FMCSA" pilot program that allows for a restart of drivers' hours in order to allow for flexibility in the hours-of-service regulations. This pilot program, which lasts for 3 years, is managed and monitored by the FMCSA and will provide data to the FMCSA for the purpose of evaluating current hours-of-service regulations.

LD 1982 **An Act to Reduce the Economic Impact of Seasonally Posted Roads** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN BENNETT	ONTP	

LD 1982 proposed to allow municipalities to issue permits for vehicles to operate on any roads that may be posted. A municipality would be able to charge a fee for the permit subject to guidelines set by the Department of Transportation.

Joint Standing Committee on Transportation

LD 1984

An Act to Modernize the Procurement Practices at the Department of Transportation

PUBLIC 689

<u>Sponsor(s)</u> FISHER SAVAGE C	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-798
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LD 1984 proposed to update the procurement practices of the Department of Transportation by allowing for the posting of advertisements for bids on construction contracts on the Internet, instead of requiring the expense of legal notices in newspapers.

Committee Amendment "A" (H-798) adds an appropriation and allocation section and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 689 updates the procurement practices of the Department of Transportation by allowing for the posting of advertisements for bids on construction contracts on the Internet, instead of requiring the expense of legal notices in newspapers.

LD 2009

An Act to Amend the Laws Concerning Specialty License Plates

PUBLIC 623

<u>Sponsor(s)</u> MCNEIL O'GARA	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-928
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LD 2009 proposed to amend the laws governing specialty license plates to require the sponsor of specialty plates to provide a minimum number of signatures of support and to tighten the requirement regarding payment in advance of the manufacture of the specialty plate.

Committee Amendment "A" (H-928) proposed to replace the bill and establish the lobster special registration plate and the Lobster Research, Education and Development Fund. It also proposed to establish the Maine Black Bears special registration plate and the Maine Black Bears Scholarship Fund. The amendment retained the provisions of the bill that tighten the requirements for the authorization of new specialty license plates.

Enacted law summary

Public Law 2001, chapter 623 establishes the lobster special registration plate and the Lobster Research, Education and Development Fund. It also establishes the Maine Black Bears special registration plate and the Maine Black Bears Scholarship Fund. The law also tightens the requirements for the authorization of new specialty license plates.

Joint Standing Committee on Transportation

LD 2018

An Act to Amend the Motor Vehicle Laws

PUBLIC 687

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-1032 S-593 GOLDTHWAIT

LD 2018 proposed to amend the motor vehicle laws as follows.

1. It would correct a conflict between 2 sections of law to clarify that a person operating a tractor or trailer used solely for farming purposes does not need an operator's license on a public way between farm lots.
2. It would clarify existing language regarding weighing points so that a sign directing a commercial motor vehicle operator to stop for weighing can be placed on a public way intersecting the way where the weighing point is located.
3. It would create a traffic infraction if a motor vehicle operator fails to remove compacted snow and ice from a vehicle and that compacted snow and ice falls from the vehicle causing personal injury or property damage.
4. It would amend the definition of "blood-alcohol level" to include the equivalent measurement of alcohol in breath.

Committee Amendment "A" (H-1032) makes the following changes to the bill.

1. It would strike the provision in the bill that makes it a traffic infraction if a motor vehicle operator fails to remove compacted snow and ice from a vehicle and the snow and ice falls from the vehicle causing personal injury or property damage.
2. It would strike the provision in the bill that amends the definition of "blood-alcohol level" to include the equivalent measurement of alcohol on the breath.
3. It would define an "electric personal assistive mobility device," also known as a Segway, and create provisions governing its operation.
4. It would authorize the Commissioner of Transportation to undertake a 2-year pilot project that provides specified exemptions from specified truck weight requirements for 4-axle trucks hauling certain commodities.
5. It would clarify that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, act as an accompanying operator.

Senate Amendment "A" to Committee Amendment "A" (S-593) was prepared pursuant to action taken by the Legislative Council on March 26, 2002. The amendment would remove legislative members from an advisory committee established to advise the Commissioner of Transportation on matters pertaining to truck weight laws and instead would require the commissioner and the advisory committee to meet with the Joint Standing Committee on Transportation during one of that committee's regularly scheduled meetings during the 2002 legislative interim to update the committee on the progress of those issues.

Joint Standing Committee on Transportation

Enacted law summary

Public Law 2001, chapter 687 amends the motor vehicle laws as follows.

1. It corrects a conflict between 2 sections to clarify that a person operating a tractor or trailer used solely for farming purposes does not need an operator's license on a public way between farm lots.
2. It clarifies existing language regarding weighing points so that a sign directing a commercial motor vehicle operator to stop for weighing can be placed on a public way intersecting the way where the weighing point is located.
3. It defines an "electric personal assistive mobility device," also known as a Segway, and creates provisions governing its operation.
4. It authorizes the Commissioner of Transportation to undertake a 2-year pilot project that provides specified exemptions from specified truck weight requirements for 4-axle trucks hauling certain commodities. It also requires the commissioner and an advisory committee to meet with the Joint Standing Committee on Transportation during one of that committee's regularly scheduled meetings during the 2002 legislative interim to update the committee on matters pertaining to truck weight laws.
5. It clarifies that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, act as an accompanying operator.

LD 2020

An Act to Promote the Fiscal Sustainability of the Highway Fund

PUBLIC 688

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM MAJ	H-1042
GAGNON	OTP-AM MIN	

LD 2020 proposed to promote the fiscal sustainability of the Highway Fund by annually indexing motor fuel taxes to reflect inflation, with the new rates taking effect each July 1st, starting in 2003.

Committee Amendment "A" (H-1042) was the majority report. It proposed to establish an annual index for motor fuel tax rates that is based on the Consumer Price Index and is retroactive to 1999. This amendment also proposed to require that the Department of Transportation must submit a bill to the Legislature that repeals any forthcoming adjustment in fuel tax rates for each biennium.

Committee Amendment "B" (H-1043) was the minority report. It proposed to replace the bill and transfer certain funds from the General Fund to the Highway Fund in order to maintain and enhance highways and bridges. Specifically, this amendment proposed to transfer 13.7% of the sales tax revenue associated with the sale of new or used automobiles or trucks from the General Fund to the Highway Fund. This amendment was not adopted.

House Amendment "A" (H-1105) proposed to transfer all the funds in the Maine Learning Technology Endowment to the Highway Fund and would deauthorize the financing arrangements for the endowment. This amendment was not adopted.

Joint Standing Committee on Transportation

House Amendment "A" to Committee Amendment "A" (H-1109) proposed to repeal the provisions of the bill, as amended by Committee Amendment "A," effective July 1, 2003. This amendment was not adopted.

House Amendment "B" (H-1114) proposed to transfer the balance of the Maine Learning Technology Endowment to the Highway Fund and use the funds to decrease the excise tax imposed on gasoline and special fuels by 3¢ for one year beginning July 1, 2002 and ending June 30, 2003. This amendment also would deauthorize the financing arrangements for the endowment. This amendment was not adopted.

Enacted law summary

Public Law 2001, chapter 688 promotes the fiscal sustainability of the Highway Fund by annually indexing motor fuel taxes to reflect inflation, with the new rates taking effect each July 1st. The index is retroactive to 1999. The law also requires the Department of Transportation to submit a bill to the Legislature that repeals any forthcoming adjustment in fuel tax rates for each biennium.

LD 2047	An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2003	P & S 55
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-450

LD 2047 proposed to make allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2003 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (S-450) added a fiscal note to the bill.

Enacted law summary

Private and Special Law 2001, chapter 55 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2003 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 2064	An Act to Waive the Title Fee for Towed Abandoned Vehicles	PUBLIC 563
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON GOOLEY	OTP-AM	S-462

LD 2064 proposed to exempt a towing company from paying a title fee for an abandoned motor vehicle if the towing company tows the vehicle at the request of the State Police and then claims the vehicle and declares that the vehicle is a total loss.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-462) proposed to replace the bill and exempt from payment of a title fee a towing company that tows an abandoned vehicle at the request of a law enforcement officer, claims the vehicle and declares that the vehicle is a total loss, and properly notifies the vehicle owner that the vehicle is claimed under the abandoned vehicle law. The amendment also proposed to clarify that notification from the Secretary of State to the owner and lienholder must inform the owner that the owner must pay \$23 to transfer the title. If the owner or person in possession of the proper document fails to deliver the proper document and registration plates to the Secretary of State, the Secretary of State could suspend the owner's privilege to title or register a vehicle.

Enacted law summary

Public Law 2001, chapter 563 exempts from payment of a title fee a towing company that tows an abandoned vehicle at the request of a law enforcement officer, claims the vehicle and declares that the vehicle is a total loss, and properly notifies the vehicle owner that the vehicle is claimed under the abandoned vehicle law. The law also clarifies that notification from the Secretary of State to the owner and lienholder must inform the owner that the owner must pay \$23 to transfer the title. If the owner or person in possession of the proper document fails to deliver the proper document and registration plates to the Secretary of State, the Secretary of State may suspend the owner's privilege to title or register a vehicle.

LD 2082

An Act to Amend the Subdivision Review Criteria for Traffic

PUBLIC 560

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-867

LD 2082 was the recommendation of the Joint Standing Committee to Study Growth Management. It proposed to amend the subdivision review criteria for traffic by requiring a determination that the proposed subdivision will not reduce the posted speed of a mobility arterial or retrograde arterial.

Committee Amendment "A" (H-867) proposed to replace the bill and to amend the subdivision review criteria for traffic by requiring documentation from the Department of Transportation that includes a finding that the proposed subdivision conforms to the law regulating entrances to highways.

Enacted law summary

Public Law 2001, chapter 560 implements the recommendation of the Joint Standing Committee to Study Growth Management. It amends the subdivision review criteria for traffic by requiring documentation from the Department of Transportation that includes a finding that the proposed subdivision conforms to the law regulating entrances to highways.

Joint Standing Committee on Transportation

LD 2092

An Act to Make Additional Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003

**PUBLIC 565
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER SAVAGE C	OTP-AM	H-949

LD 2092 proposed to do the following:

PART A

1. It would make additional allocations from the Highway Fund.
2. It would make additional allocations from the Federal Expenditure Fund.
3. It would make additional allocations from the Highway Garage Fund.
4. It would make additional allocations from the Island Ferry Service Fund.

PART B

1. It would make allocations from the Highway Fund for approved reclassifications and range changes.
2. It would make allocations from the Federal Expenditures Fund for approved reclassifications and range changes.
3. It would make allocations from the Highway Garage Fund for approved reclassifications and range changes.
4. It would make allocations from the Island Ferry Service Fund for approved reclassifications and range changes.

PART C

1. It would make allocations from the Highway Fund for anticipated salary costs.

Committee Amendment “A” (H-949) proposed to do the following:

PART A

1. It would make allocations from the Highway Fund.
2. It would make allocations from the Federal Expenditures Fund.
3. It would make allocations from the Highway Garage Fund.

Joint Standing Committee on Transportation

4. It would make allocations from Island Ferry Services Fund.

PART B

1. It would make allocations from the Highway Fund for approved reclassifications and range changes.
2. It would make allocations from the Federal Expenditures Fund for approved reclassifications and range changes.
3. It would make allocations from the Highway Garage Fund for approved reclassifications and range changes.
4. It would make allocations from the Island Ferry Services Fund for approved reclassifications and range changes.

PART C

1. It would make allocations from the Highway Fund for anticipated salary costs.

PART D

1. It would make allocations from the Highway Fund.
2. It would make allocations from the Federal Expenditures Fund.

PART E

1. It would make allocations from the Highway Fund to cover the expenditures of the repealed Transportation Safety Fund.
2. It would make allocations from Other Special Revenue funds to reflect the repeal of the Transportation Safety Fund.

PART F

1. It would repeal the Transportation Safety Fund
2. It would authorize the transfer of all revenues from the Transportation Safety Fund to the Highway Fund.
3. It would correct a cross-reference.
4. It would authorize the transfer of all unencumbered balances from the Transportation Safety Fund to the unallocated surplus of the Highway Fund.

PART G

1. It would provide enabling statutory language to implement a proposed constitutional amendment that will allow the State to issue temporary debt to be repaid with federal transportation funds.

Joint Standing Committee on Transportation

2. It would specify that the enabling statutory language will take effect only upon approval by the voters.

PART H

1. It would allow the Department of Transportation to adopt certain major substantive rules.

PART I

1. It would require the Department of Transportation to work with certain state, federal and private agencies to revise certain interstate designations.

PART J

1. It would amend provisions of Public Law 2001, chapter 314 to make minor corrections.

PART K

1. It would allow more flexibility in the use of Urban-Rural Initiative Program funds by certain municipalities.

Enacted law summary

Public Law 2001, chapter 565 does the following.

PART A

1. It makes additional allocations from the Highway Fund.
2. It makes additional allocations from the Federal Expenditure Fund.
3. It makes additional allocations from the Highway Garage Fund.
4. It makes additional allocations from the Island Ferry Service Fund.

PART B

1. It makes allocations from the Highway Fund for approved reclassifications and range changes.
2. It makes allocations from the Federal Expenditures Fund for approved reclassifications and range changes.
3. It makes allocations from the Highway Garage Fund for approved reclassifications and range changes
4. It makes allocations from the Island Ferry Service Fund for approved reclassifications and range changes.

PART C

1. It makes allocations from the Highway Fund for anticipated salary costs.

Joint Standing Committee on Transportation

PART D

1. It makes allocations from the Highway Fund.
2. It makes allocations from the Federal Expenditures Fund.

PART E

1. It makes allocations from the Highway Fund to cover the expenditures of the repealed Transportation Safety Fund.
2. It makes allocations from Other Special Revenue funds to reflect the repeal of the Transportation Safety Fund.

PART F

1. It repeals the Transportation Safety Fund.
2. It authorizes the transfer of all revenues from the Transportation Safety Fund to the Highway Fund.
3. It corrects a cross-reference.
4. It authorizes the transfer of all unencumbered balances from the Transportation Safety Fund to the unallocated surplus of the Highway Fund.

PART G

1. It provides enabling statutory language to implement a proposed constitutional amendment that will allow the State to issue temporary debt to be repaid with federal transportation funds.
2. It specifies that the enabling statutory language will take effect only upon approval by the voters.

PART H

1. It allows the Department of Transportation to adopt certain major substantive rules.

PART I

1. It requires the Department of Transportation to work with certain state, federal and private agencies to revise certain interstate designations.

PART J

1. It amends provisions of Public Law 2001, chapter 314 to make minor corrections.

PART K

1. It allows more flexibility in the use of Urban-Rural Initiative Program funds by certain municipalities.

Joint Standing Committee on Transportation

Public Law 2001, chapter 565 was enacted as an emergency measure effective March 26, 2002.

LD 2150 **An Act to Facilitate Water Well Drilling if Necessitated by
Emergency Drought Conditions** **PUBLIC 540
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J COLWELL	OTP-AM	S-469

LD 2150 proposed to allow a person operating a vehicle that is transporting well-drilling equipment to travel over a county or municipal way without a specific county or municipal permit during calendar year 2002.

Committee Amendment "A" (S-469) proposed to allow a person operating a vehicle that is transporting well-drilling equipment to travel over a county or municipal way without a specific county or municipal permit during a period of drought emergency declared by the Governor, provided certain conditions were met.

Enacted law summary

Public Law 2001, chapter 540 allows a person operating a vehicle that is transporting well-drilling equipment to travel over a county or municipal way without a specific county or municipal permit during a period of drought emergency declared by the Governor, provided certain conditions are met.

Public Law 2001, chapter 540 was enacted as an emergency measure effective March 21, 2002.

LD 2178 **An Act to Implement the Minority Report of the Joint Standing
Committee on Transportation Regarding the Final Report of the
Task Force to Study the Municipal Excise Tax and Other Motor
Vehicle Registration Fees** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP MAJ	
	OTP MIN	

LD 2178 proposed to allow municipalities the option to offer up to a 10% discount in the amount of excise tax paid on motor vehicles.

LD 2214 **Resolve, to Establish and Fund the Task Force on Rail
Transportation** **RESOLVE 120
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

LD 2214 proposed to establish and fund the Task Force on Rail Transportation. The task force would be comprised of legislators and non-legislators with rail interests. The duties of the task force would be to evaluate

Joint Standing Committee on Transportation

current transportation policies and plans, develop an integrated statewide rail transportation policy and plan, and develop steps to implement this policy and plan. The task force would identify State budgetary strategies to assist railroads confronted with significant financial problems. The task force would also create a plan for educating the Legislature and the public on these policies and plans. The State's Railroad Preservation and Assistance Fund would fund the task force.

Enacted law summary

Resolve 2001, chapter 120 establishes and funds the Task Force on Rail Transportation. The task force is comprised of legislators and non-legislators with rail interests. The duties of the task force are to evaluate current transportation policies and plans, develop an integrated statewide rail transportation policy and plan, and develop steps to implement this policy and plan. The task force will identify State budgetary strategies to assist railroads confronted with significant financial problems. The task force will also create a plan for educating the Legislature and the public on these policies and plans. The State's Railroad Preservation and Assistance Fund will fund the task force.

Resolve 2001, chapter 120 was finally passed as an emergency measure effective April 11, 2002.

HP 1727

JOINT ORDER, Relative to the Task Force on Rail Transportation

PASSED

Sponsor(s)
JONES

Committee Report
OTP

Amendments Adopted
H-1884 HA

HP1727 proposed to establish the Task Force on Rail Transportation. The task force would be comprised of legislators and non-legislators with rail interests. The duties of the task force would be to evaluate current transportation policies and plans, develop an integrated statewide rail transportation policy and plan, and develop steps to implement this policy and plan. The task force would identify State budgetary strategies to assist railroads confronted with significant financial problems. The task force would also create a plan for educating the Legislature and the public on these policies and plans.

The Joint Standing Committee on Transportation amended the Joint Order to authorize the Joint Standing Committee on Appropriations and Financial Affairs to report out a bill regarding a task force on rail transportation. This was done so that an executive agency could fund the task force. The Joint Standing Committee on Appropriations and Financial Affairs reported out LD 2214, which was enacted as Resolve 2001, chapter 120.

Joint Standing Committee on Transportation

LD 507	459
LD 521	459
LD 1832	460
LD 1836	460
LD 1841	461
LD 1844	461
LD 1851	466
LD 1852	466
LD 1859	466
LD 1863	466
LD 1867	467
LD 1881	467
LD 1896	468
LD 1907	468
LD 1927	469
LD 1978	469
LD 1982	469
LD 1984	470
LD 2009	470
LD 2018	471
LD 2020	472
LD 2047	473
LD 2064	473
LD 2082	474
LD 2092	475
LD 2150	479
LD 2178	479
LD 2214	479
HP 1727	480